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The Trusted Integrator for Sustainable Solutions

December 6, 2013

Mr. James Desir, Work Assignment Manager
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Document Control No.: 2179-2A-BJYO

**Subject: Summary of Findings
Flushing Bay, Flushing River, and Willets Point Pre-CERCLIS Screening
Contract No.: EP-S5-06-04, TDD No. S05-0013-1306-003**

Dear Mr. Desir:

In response to a petition the U.S. Environmental Protection Agency (EPA) Region 2 received to conduct a preliminary assessment of hazardous waste threats in Flushing Bay, Flushing River, and Willets Point, EPA tasked Weston Solutions, Inc. (WESTON®) to prepare Pre-Comprehensive Environmental Response, Compensation, Liability Information System (CERCLIS) forms for any identified abandoned or uncontrolled hazardous waste sites. In an effort to identify these sites, WESTON conducted a file review at the New York State Department of Environmental Conservation (NYSDEC) and an environmental records database search of the area. The following is a summary of WESTON's findings.

If you have any questions, please contact me at (856) 793-2129.

Very truly yours,

WESTON SOLUTIONS, INC.

A handwritten signature in black ink that reads "Nancy Shannon". The signature is fluid and cursive, with the first name "Nancy" being more prominent than the last name "Shannon".

Nancy Shannon
Senior Project Scientist

enclosure

cc: C. Romano, EPA (w/o enclosure)
G. Gilliland, WESTON (w/o enclosure)
file

**SUMMARY OF FINDINGS
FLUSHING BAY, FLUSHING RIVER, AND WILLETS POINT
QUEENS, NEW YORK**

Prepared by:

Weston Solutions, Inc.
Edison, New Jersey

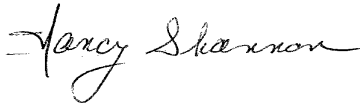
Prepared for:

U.S. ENVIRONMENTAL PROTECTION AGENCY

EPA Contract No.: EP-S5-06-04
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December 2013

SUBMITTED BY:



Nancy Shannon
Project Manager

Date December 6, 2013



Gerald V. Gilliland, P.G.
Senior Technical Manager

Date December 6, 2013

Summary of Findings

Site Name: Flushing Bay, Flushing River, and Willets Point

Region: 2

Location: Queens, NY

EPA Work Assignment Manager: James Desir

WESTON Personnel: Nancy Shannon

Date: December 2013

In August 2013, Weston Solutions, Inc. (WESTON[®]) conducted a file review at the New York State Department of Environmental Conservation (NYSDEC) office in Long Island City, New York. Information requested for review included all documents and files for properties within Willets Point and the areas surrounding Flushing Bay and Flushing River. NYSDEC provided WESTON with several routine dredging reports for Flushing Bay. NYSDEC also provided several boxes of information pertaining to NYSDEC oversight of soil and groundwater contamination and remediation of properties as a result of leaking underground storage tanks (USTs) containing petroleum products such as gasoline, diesel, and fuel oil. According to Sections 101(14) and 104(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, enacted by Congress on December 11, 1980, and amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986, petroleum and petroleum-based products are not considered CERCLA hazardous substances and, therefore, are excluded for consideration in CERCLA response actions (petroleum exclusion). Additionally, as these properties are being addressed by the responsible party (RP) with oversight by another regulatory agency (i.e., NYSDEC), they would not be considered abandoned or uncontrolled hazardous waste sites eligible for consideration under CERCLA.

NYSDEC also provided a copy of a Brownfields Grant application for Willets Point. Willets Point is an area located in Queens, New York, and is bordered on three sides by Flushing Bay and Flushing River. Willets Point is owned by the New York City Economic Development Corporation (NYCEDC) and comprises approximately 61 acres. Parcels within Willets Point are occupied by approximately 260 small- to medium-sized commercial to light industrial properties

leased from NYCEDC. The majority of these properties contain a variety of automotive repair and scrap metal facilities, as well as construction and demolition material management facilities (i.e. recycling facilities). Currently, Queens Development Group, LLC (QDG) has submitted the request for a Brownfields Grant to NYSDEC on behalf of NYCEDC for the remediation of approximately one-third of Willets Point prior to construction of a hotel, shopping center, and associated parking. According to NYSDEC, QDG intends to develop the remaining two-thirds of the area at a later date and will potentially submit a second Brownfields Grant application at such time. The current Brownfields Grant application includes a general plan for the environmental investigation and subsequent remedial actions to be conducted on Willets Point. Therefore, since potential environmental impacts at Willets Point are being or will be addressed by an RP with regulatory agency oversight or involvement from NYSDEC, the subject properties would not be considered abandoned or uncontrolled hazardous waste sites eligible for consideration under CERCLA.

WESTON conducted a search of Federal and State environmental records databases for the area north of Willets Point across Flushing Bay (i.e., between the bay and College Point Boulevard), and the area to the east of Willets Point across Flushing River. A list of the Federal and State database records that were searched is included in Appendix A. A total of 353 database records were reviewed. After review, 69 of the records were deemed ineligible for consideration under CERCLA. The primary reason for this determination is if a record is associated with USTs and above ground storage tanks (ASTs) subject to petroleum exclusion and that record is associated with a facility which does not contain any other records listed. Furthermore, USTs are regulated by the State of New York without an approved program; EPA works with state officials in coordinating UST enforcement actions.

Other reasons for determining records are ineligible for consideration under CERCLA are if the records are associated with de minimis quantities (i.e., a broken radiator hose which resulted in the spill of 1 gallon of antifreeze) or because they are solely records of events unassociated with releases (i.e., tank test failure records). The remaining 284 records are listed in Table 1 of Appendix B and shown on Figure 1 of Appendix C.

There are numerous records associated with state regulated facilities, as shown in Table 2 of Appendix B, there are: 37 properties listed as properties that generate manifests, and 39 properties identified as solid waste or landfill facilities. Also shown on Table 2 of Appendix B are the federally regulated Resource Conservation Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) facilities. There are 2 properties associated with CERCLIS and 41 properties listed as Resource Conservation Recovery Act (RCRA) generators or non-generators. The fact that these properties are listed in these databases does not signify that they are abandoned or uncontrolled hazardous waste sites, just that they are facilities that generate, manage, or store hazardous substances or wastes that are regulated by Federal and State programs.

As shown in Table 3 of Appendix B, there are a total of 11 incidences identified as spills containing polychlorinated biphenyls (PCBs), which are considered CERCLA-eligible hazardous substances, or having PCBs identified in soil as part of soil sampling activities.

- In 1980, the State of New York conducted a removal action at the College Point Oil Lagoon site located at 123rd Street and 31st Avenue. The removal action consisted of the removal of PCB-contaminated oil, water, and sludge from the lagoons. A limited amount of soil was also removed from beneath the sludge at the base of the lagoons. Analytical results of post-excavation samples showed that the remaining soil contained less than 1 part per million (ppm) PCBs. A parking lot and buildings were constructed on top of the former lagoon.
- In 1993, the PCB Pool/College Point site (CERCLIS ID: NYD980534986) located at 122nd Street and 31st Avenue was archived in CERCLIS. A preliminary assessment had been conducted in 1979; a site investigation was completed in 1981. The site received a recommendation of No Further Remedial Action Planned (NFRAP) based on the determination that it did not qualify for the National Priorities List (NPL).
- In July 1996, the Con Edison facility located at 124-15 31st Avenue removed 0.5 cubic yards of soil from a stained area in a gasoline tank area. This soil contained 50-60 parts per million (ppm) PCBs.
- In December 1996, the Con Edison facility located at 124-15 31st Avenue had a release of 2 ounces of dielectric fluid to the ground surface covered in blacktop. The material was treated as containing greater than 50 ppm PCBs and was double washed.
- In January 1999, approximately 1 inch (e.g., approximately 100 gallons) of oil containing 6 ppm PCBs was discovered in the manhole located on Mount Hope Asphalt Corp. at 120-01 31st Avenue. The oil was a result of a blown joint. The area was power-washed and approximately 200 gallons of oil/water mixture was removed. The case was closed by NYSDEC.
- In March 2001, the Con Edison facility located at 124-15 31st Avenue had a release of 1 pint of dielectric fluid.

- In October 2001, the Con Edison facility located at 124-15 31st Avenue had a release of wash water to an asphalt-covered surface from a vacuum truck that had contained material with greater than 50 ppm PCB in concentration. The area was double washed with water into a flush shed.
- In September 1999, PCB-contaminated soil was identified during a Phase II evaluation that was conducted on the vacant lot located at 125th Street and 31st Avenue. As part of the remediation, 11 tons of soil were excavated and removed. Endpoint samples were collected. The site case was closed by NYSDEC on January 4, 2002.
- On January 24, 2001, at the property located at 125th Street and 31st Avenue, while excavating for new hook-ups for a State building and Home Depot, oily groundwater was encountered. Samples collected of the oily groundwater contained PCB concentrations of 139 and 256 ppm. The origin of the oil was unknown. Cleanup was completed on January 25, 2001.
- In 2002, during a Phase II investigation on the Time Warner property located at 31-89 123rd Street, PCB-contaminated groundwater was observed in three wells. Based on the groundwater flow direction, the contamination in the groundwater was believed to be coming from the adjacent former College Point Oil Lagoon site located at 123rd Street and 31st Avenue.
- In September 2002, approximately 170 gallons of transformer oil spilled on the property located at 35-32 College Point Road. The material was cleaned up assuming it contained 50 - 499 ppm PCBs.

As previously stated, there are several records of releases of other CERCLA-eligible hazardous substances (i.e., antifreeze, ethanol, and waste oil); however, with the exception of 100 gallons of burning asphalt released at the Mount Hope Asphalt Corp. facility located at 120-01 31st Avenue as a result of a fire in June 2001, and an unknown amount of waste oil being released continuously over time at the ASCOR Scrap Metal Inc. facility located at 127-08 Willets Point Boulevard facility, the quantities of hazardous substances released were minimal and were therefore considered ineligible under CERCLA. In 2012, tetrachloroethylene (PCE) was detected in groundwater samples collected at the NYC Department of Sanitation located at 134-25 35th Street Q-11A. The groundwater samples were collected as part of an on-going soil and groundwater investigation and remediation effort being conducted in response to leaking USTs containing petroleum. The source of the PCE is unknown. The database search did identify one active and three historical dry cleaners, of which PCE is a commonly associated hazardous substance; however, these facilities are not in the immediate vicinity of the NYC Department of Sanitation.

The database search identified two facilities that, based on their operations, handled CERCLA-eligible hazardous substances. The database search did not indicate that spills or releases occurred at these facilities; however, due to the nature of the hazardous substances associated with the operations at these facilities and the unknown housekeeping practices, there is the potential for these facilities to have released hazardous substances into the environment:

- Scrap King Flushing Inc. located at 35-31 College Point Boulevard is listed as a RCRA-Non-generator. However, the waste type at the facility is listed as batteries and the information indicates that waste is accumulated on site.
- Kent Electro-plating Corp. located at 36-34 Prince Street is listed as a RCRA-Non-generator and FINDS facility. However, the facility was listed as a RCRA-LQG in 1980. The EDR does not list the hazardous substances generated at the facility. However, electroplating facilities typically use numerous hazardous substances such as heavy metals, acids, cyanides, and organic compounds.

The database search identified two historical manufactured gas plants (MGP) located at Farrington and 32nd Streets and 133-01 Higgins Street. An on-line search for information regarding these facilities indicated that the MGP located at 133-01 Higgins Street, known as Farrington MGP, is currently under the State's Voluntary Cleanup Program. Characterization of the site was completed in 2008. Groundwater and soil contamination of coal tar products was identified. Additionally, a chlorinated solvent groundwater plume was identified and determined to be coming from an off-site, unknown source. The facility located at Farrington and 32nd Streets, known as Farrington St. Holder, is in the State Superfund Program. Contaminated soil was excavated and removed. Post-excavation soil samples revealed that some residual contamination remained on site.

Three Federal or State hazardous waste sites were identified in the database search, including the College Point Oil Lagoon site located at 123rd Street and 31st Avenue, the PCB Pool/College Point site (CERCLIS ID: NYD980534986) located at 122nd Street and 31st Avenue, previously mentioned, and the Spectrum Maintenance site located at 39-08 Janet Place. The Spectrum Maintenance site had a CERCLIS potentially responsible party (PRP) removal action in 1999. A review of available information did not indicate the contaminant of concern at the site. The site is an open site in CERCLIS with a removal only (no site assessment work needed) designation.

In conclusion, based on a review of available information provided during file reviews and available database searches, seven potentially abandoned or uncontrolled hazardous waste sites or instances of hazardous waste releases were identified: the origin of PCBs detected in groundwater at the Time Warner property located at 31-89 123rd Street; the origin of PCE detected in groundwater at NYC Department of Sanitation located at 134-25 35th Street Q-11A; the origin of the chlorinated solvents detected in groundwater in the vicinity of 133-01 Higgins Street, known as Farrington MGP; the Mount Hope Asphalt Corp. facility located at 120-01 31st Avenue as a result of the release of 100 gallons of burning asphalt; the ASCOR Scrap Metal Inc. facility located at 127-08 Willets Point Boulevard as a result of the continuous releases of waste oil; the Scrap King Flushing Inc. facility located at 35-31 College Point Boulevard; and the Kent Electro-plating Corp. facility located at 36-34 Prince Street.

References

1. U.S. Environmental Protection Agency (EPA), Office of Solid Waste and Emergency Response. Improving Site Assessment: Pre-CERCLIS Screening Assessments Fact Sheet. EPA-540-F-98-039. October 1999.
2. Munshi-South, Jason, Ph. D. Petition for Preliminary Assessment of Hazardous Waste Threats in Flushing River, Flushing Bay, and Willets Point. Submitted to Hon. Judith Enck, Regional Administrator, U.S. EPA, Region 2.
3. New York State Department of Environmental Conservation (NYSDEC). Brownfields Cleanup Program Application – Willets Point Development. January 24, 2013.
4. Environmental Data Resources, Inc. (EDR). The EDR Radius Map™ Report. College Point Boulevard – North, Flushing, NY. August 2, 2013.
5. EDR. The EDR Radius Map™ Report. College Point Boulevard – East, Flushing, NY. August 1, 2013.
6. NYSDEC. Environmental Site Remediation Database Search Details for Farrington St. MGP Site Number V00560. Information accessed on-line: <http://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3>. July 9, 2013.
7. NYSDEC. Environmental Site Remediation Database Search Details for Farrington St. Holder Site Number 241034. Information accessed On-line: <http://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3>. July 9, 2013.

APPENDIX A

Database Acronym List

Federal Database Records

- National Priority List (NPL) for both existing and deleted facilities.
- Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS).
- No Further Remedial Action Planned (NFRAP).
- RCRA Corrective Action Activity (CORRACTS). CORRACTS identifies RCRA facilities under corrective action activity.
- Resource Conservation and Recovery Information System (RCRIS). RCRIS lists facilities including large and small quantity generators, treatment facilities, and storage, transportation, and disposal facilities.
- Emergency Response Notification System (ERNS).
- The Toxic Release Inventory System (TRIS). The TRIS sites are required to complete a Toxic Chemical Release Form (Form R) for specified chemicals.
- The Biennial Reporting System (BRS). The BRS is a system administered by EPA that collects data on the generation and management of hazardous wastes.
- The Superfund Consent Decrees (CONSENT). CONSENT are major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites including settlements.
- The Record of Decision (ROD). The ROD documents mandate a permanent remedy at an NPL site containing technical and health information to aid in the cleanup.
- The NPL Deletions. The NPL Deletions database identifies sites meeting the EPA's criteria to delete sites from the NPL, per the National Oil and Hazardous Substances Pollution Contingency Plan.
- The Facility Index System/Facility Identification Initiative Program Summary Report (FINDS). The FINDS database contains both facility information and "pointers" to other sources that contain more detail.
- The Hazardous Materials Information Reporting System (HMIRS). The HMIRS database contains hazardous materials spill incidents reported to the DOT.
- The Material Licensing Tracking System (ML TS). MLTS is maintained by the NRC and contains a list of approximately 8,100 sites that possess or use radioactive materials and which are subject to NRC licensing requirements.

- The Mines Master Index File (MINES). MINES is maintained by the Department of Labor, Mine Safety and Health Administration to identify mining issues.
- NPL Liens database. The NPL Liens database lists those sites where the USEPA has filed liens against real property in order to recover remedial action expenditures.
- The PCB Activity Database System (PADS). PADS is maintained by EPA and identifies generators, transporters, commercial storers and /or brokers and disposers of PCB' s.
- The RCRA Administrative Action Tracking System (RAA TS). The RAA TS database contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA.
- The Toxic Substances Control Act (TSCA). The TSCA database identifies facilities that manufacture or chemical substances included on the TSCA Chemical Substance Inventory list.
- The Indian Reservation database (INDIAN RESERV) identifies properties that are identified as Indian Administered Lands that are greater than 640 acres. Operations on these properties may be managed by tribal environmental regulations.
- The Department of Defense database (DOD) identifies properties that are administered by the DOD that are greater than 640 acres. Operations on these properties may be managed by tribal environmental regulations.
- The Formerly Used Defense Sites database (FUDS) identifies the location of former defense properties where the U.S. Army Corps of Engineers is actively working or will be taking necessary cleanup actions.
- The Uranium Mill Tailing Sites database (UMTRA) identifies the location of former uranium ore mining operations.
- The FIFRNTSCA Tracking System (FTTS). The FTTS database tracks administrative cases and pesticide enforcement actions related to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), TSCA, and Emergency Planning and Right to Know (EPCRA) Act.
- The Section 7 Tracking System database (SSTS) identifies if sites within the District are registered pesticide producing establishments that are subject to report to EPA each year the amount and type of pesticides manufactured and sold each year.
- The U.S. Brownfields database (US BROWNFIELDS) is updated on a semi-annual basis and includes sites that are identified by EPA under a wide range of brownfield-related programs.

State of New York Standard Records

- The Inactive Hazardous Waste Disposal Sites in New York State (SHWS). The SHWS registry is the State's equivalent to CERCLIS.
- The Solid Waste Facilities/Landfill Sites (SWF/LF). SWF/LF database contains an inventory of solid waste disposal facilities or landfills in the state.
- The Leaking Storage Tank Incident Reports database (LTANKS) contains an inventory of reported leaking storage tanks (above or underground). The causes include tank test failures, tank failures, or tank overfills.
- The Petroleum Bulk Storage Database (UST). Identifies UST sites with capacities ranging from 1,100 gallons to 400,000 gallons.
- The Chemical Bulk Storage Database (CBS). Identifies facilities that store regulated hazardous substances in underground storage tanks of any size.
- The Major Oil Storage Facilities Database UST (MOSF). Identifies facilities that may be onshore facilities, or vessels, with petroleum storage capacities of 400,000 gallons or greater.
- The Hazardous Substance Waste Disposal Site Inventory (HSWDS) database. Identifies any known or suspected hazardous waste disposal sites. Also included are sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites and non-registry sites that USEPA Preliminary Assessment (PA) reports or Site Investigation (SI) reports were prepared.
- The Petroleum Bulk Storage (AST) database identifies registered aboveground storage tanks located within the District.
- The Chemical Bulk Storage Database, AST (CBS AST) identifies facilities that store regulated hazardous substances in aboveground tanks with capacities of 185 gallons or greater, and/or in underground storage tanks of any size.
- The Major Oil Storage Facilities Database AST (MOSF-AST) identifies AST facilities that may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or greater.
- The Spills Information Database (SPILLS) identifies data collected on spills that were reported to NYSDEC as required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date.
- The Registered Recycling Facility List (SWRCY) database.
- The Registered Waste Tire Storage Facility List (SWTIRE) database.

- The Delisted Registry Site (DEL SHWS) identifies sites where the NYSDEC has delisted from its registry inactive hazardous waste sites.
- The Drycleaners List (DRYCLEANERS) identifies the location of dry cleaners registered with the NYSDEC.
- The State Pollutant Discharge Elimination System List (SPDES) identifies if sites that are monitored by the NYSDEC for the discharge of wastewater and storm water.
- The Brownfields List (Brownfields) identifies sites where private monies are being used to remediate contaminated sites to levels allowing for the sites' productive use. The program covers virtually any kind of site and contamination.
- E DESIGNATION: Lots designation with an E on the Zoning Maps of the City of New York provides notice of the presence of an environmental requirement pertaining to potential hazardous materials contamination, high ambient noise levels or air emission concerns on a particular tax lot.
- The Voluntary Cleanup Agreements (VCP) identifies sites where private monies are being used to remediate contaminated sites to levels allowing for the sites' productive use. The program covers virtually any kind of site and contamination.

APPENDIX B

EDR Summary Tables

APPENDIX C

Figure 1

Environmental Database Search Map for Flushing Bay, Flushing River and Willets Point